

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SHIRLEY L. PHELPS-ROPER,)
)
Plaintiff,)
)
vs.) Case No. 4:09CV1299 RWS
)
CITY OF PEVELY, MISSOURI,)
)
Defendant.)

MEMORANDUM AND ORDER

Plaintiff moves for dismissal of this action without prejudice. Defendant does not oppose dismissal.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to dismiss [#30] is granted, and this case is dismissed without prejudice, each party to bear its own costs.

IT IS FURTHER ORDERED that the Show Cause Hearing set for January 14, 2010 at 11:00 a.m. in Courtroom 10-South is cancelled.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 8th day of January, 2010.